

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
JUNE 7, 2004

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Patsy Burrage
INVOCATION	Reverend Mario Maldonado, Hispanic Ministries, Bellevue Baptist Church
PLEDGE OF ALLEGIANCE	
ROLL CALL	
FORD ADOPTED	<u>Approval of Minutes of Previous Sessions</u> April 12, 2004

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

AVERY ADOPTED	1.	Resolution honoring the Memphis Elite Varsity Coed Team.
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Ordinances

KIRK APPROVED	2.	<u>ORDINANCE – FIRST READING</u> – Ordinance fixing the tax rate for Shelby County for 2004.
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AVERY APPROVED	3.	<u>ORDINANCE – FIRST READING</u> – Ordinance by the Board of Commissioners for Shelby County, Tennessee, to amend Chapter 14.5 of the Code of Shelby County to retain the same annual emission fee amount for calendar year 2003 and to adjust scheduled fees for inflation.
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Zoning and Subdivisions

HOOKS ADOPTED (A-C)	4.	Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.
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Reports and/or Resolutions of Standing Committees

KIRK ADOPTED	5.	Resolution authorizing the use of funds restricted by Resolution #22 adopted December 6, 1993, to allow for cash flow needs for the remainder of FY 2004 and FY 2005.
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KIRK ADOPTED	6.	Resolution authorizing Interfund Loans.
KIRK ADOPTED	7.	Resolution appropriating \$100,000.00 from FY 2003/2004 CIP Project No. 101935, WKNO, to assist in the funding for the renovation of its current facility and for the addition of a new technology center.
KIRK ADOPTED	8.	Resolution to approve an amendment to the contract between CIMS Global Technology Solutions, Inc., and Shelby County Government, Information Technology Department, for document management consulting services, software and hardware, and to appropriate funds from FY 2003/2004 Operations and Maintenance Budget, Account Number 010-201807-6634, Outside Consultant Fees, in the amount of \$60,275.00, Account Number 010-201807-7003, Computer Hardware and Software, in the amount of \$85,000.00, and Account Number 031-610501-6016, Sheriff's Department Data Processing Supplies, in the amount of \$89,207.00, for a total amount of \$234,482.00.
KIRK ADOPTED	9.	Resolution approving the reclassification of two (2) positions within the Shelby County Roads and Bridges Department.
LILLARD ADOPTED	10.	Resolution authorizing the Shelby County Division of Public Works to apply for a Roadside Litter Grant.
LILLARD ADOPTED	11.	Resolution approving expenditure of funds by Shelby County Government to Lone Star Industries and Metro Materials Company for ready mix concrete in the approximate amount of \$95,000.00 from July 1, 2004 through June 30, 2005.
AVERY ADOPTED	12.	Resolution approving expenditure of funds by Shelby County Government to Lehman-Roberts Company, APAC Tennessee and Standard Construction Company for plant mix asphalt in the approximate amount of \$450,000.00 from July 1, 2004 through June 30, 2005.
LILLARD ADOPTED	13.	Resolution authorizing the mayor to enter into a contract with Ferrell Paving, Inc., for the construction of improvements at Houston Levee Road (Canada Road) from U.S. 64 to I-40, appropriating funds in the amount of \$1,556,508.31 and appropriating \$155,650.83 for extra work allowance from the FY 2003/2004 Budget for CIP Project Number 100129, Houston Levee Road.
LILLARD ADOPTED	14.	Resolution authorizing the mayor to enter into a contract with White Contracting, Inc., for the construction of intersection improvements at Houston Levee Road and Raleigh-LaGrange Road in the amount of \$349,332.18 and appropriating \$34,933.21 for extra work allowance and \$22,500.00 for Performance Incentive Clause from the FY 2003/2004 Budget for CIP Project Number 100129, Houston Levee Road.

LILLARD ADOPTED	15.	Resolution authorizing the mayor to enter into a contract with White Contracting, Inc., for the improvements of Houston Levee Road from Winchester to Bailey Station Road, appropriating funds in the amount of \$2,392,784.19 and appropriating funds in the amount of \$239,278.41 for extra work allowance from Project Number 1001929, Houston Levee Road.
THOMPSON ADOPTED	16.	Resolution approving an expenditure of funds not to exceed \$1,010,000.00 with Rural/Metro Mid-South, L.P. for emergency ambulance services in Shelby County.
THOMPSON (REMOVED TO REGULAR AGENDA) ADOPTED	17.	Resolution approving a contract with ESI Companies, Inc., and appropriating funds in the amount of \$1,500,147.00 from CIP Budget #101502, for renovation of jail security control centers, Phase II.
THOMPSON ADOPTED	18.	Resolution approving the expenditure of funds in the amount of \$75,000.00 to Transcor America, LLC for prisoner extradition services for the Sheriff's Office, Fugitive Division.
THOMPSON ADOPTED	19.	Resolution appropriating funds to purchase 95 in-vehicle laptop computers by Shelby County Government from Hewlett Packard in the amount of \$166,345.00 for the Sheriff's Office.
MOSS ADOPTED	20.	Resolution to approve the expenditure of funds in the amount of \$180,840.00 to Nelson Ford for the purchase of fifteen (15) new and unused vehicles for the Office of Construction Code Enforcement and to appropriate funds from the FY 2003/2004 Operating Budget.
MOSS ADOPTED	21.	Resolution to appropriate funds in the amount of \$757,440.00 for acquisition and closing costs of land and right-of-way for Wolf River Ecosystem Restoration Project from the FY 2003/2004 CBA budget for Project Number 101906, Chickasaw Basin Authority, and amending the FY 2003/2004 CIP Budget.
MOSS ADOPTED	22.	Resolution to approve the agreement with Air Technical Services in the amount of \$108,251.00 for the replacement of two (2) HVAC units, #3 and #14, at Agricenter International, and to appropriate funds in the amount of \$108,251.00 from FY 2004 CIP Budget, Project #101904, Agricenter International.
MOSS ADOPTED	23.	Resolution to change vendor name on Resolution Number 17 adopted September 29, 2003.
FORD ADOPTED	24.	Resolution approving a one-year contract renewal amendment with CIGNA Healthcare for the county's self insured CIGNA POS Healthcare Plan renewal of contract for period July 1, 2004 through June 30, 2005; cost of plan was included in the county's total health plan premium cost previously approved by resolution adopted April 12, 2004, and to become effective July 1, 2004.

FORD
ADOPTED

25. Resolution approving a two-year contract renewal with Lakeside Behavioral Health Systems, LLC, professionals and facilities, July 1, 2004 through June 30, 2006, to provide services for the Shelby County Employee Assistance Program (EAP).

FORD
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

HOOKS
ADOPTED

26. ORDINANCE – THIRD READING – An Ordinance to amend Chapter 7, Article XI, of the Code of Ordinances of Shelby County, Tennessee, relative to security alarm services.

HOOKS
ADOPTED

27. ORDINANCE – THIRD READING – An Amendment to the Joint Ordinance by the City Council of the City of Memphis and Resolution by the Board of the County Commissioners of Shelby County, creating the Memphis and Shelby County Office of Construction Code Enforcement and prescribing its power and duties; providing for the creation of a Joint Board of Appeals and the election of its chairman and vice chairman; providing for an Administrator and two Deputy Administrators for the office; providing for the distribution of funds accruing to said office and for the sharing the expense of operation of said board and office by said governmental bodies; adopting the current Shelby County Construction Codes and the Memphis and Shelby County Construction Codes; and authorizing the development of policies, procedures and approval procedures by both legislative bodies for a Commercial Demolition Program and authorizing certain commercial demolition activities.

Zoning and Subdivisions

HOOKS
WITHDRAWN

28. CASE NO. P.D. 03-367 CO
APPLICANT: Braizemore Estates, LLC
- LOCATION: North side of Pleasant Ridge Road; +1,230.5 feet west of Sledge Road
- REQUEST: Planned development to permit 149 single family detached homes with a minimum lot size of 15,054 square feet in accordance with the Single Family Residential (R-S15) District
- Memphis and Shelby County Office of Planning and Development recommendation:
REJECTION
- Memphis and Shelby County Land Use Control Board recommendation:
REJECTION

(Notice of public hearing published in the Daily News on Friday, May 7, 2004.)

HOOKS
(DEFERRED
TO 06/21/04)

29. CASE NO. P.D. 03-353 CC
APPLICANT: Belz Investco GP
- LOCATION: The southern terminus of Windyke, Clubview and Greenbelt Drives; +/- 170 feet south of Glen Eden Drive
- REQUEST: Planned development to create a mixture of lot sizes ranging between a minimum 3,500 square feet to a maximum 10,000 square feet in accordance with the bulk regulations of the R-S and R-TH Districts.
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, May 7, 2004.)

HOOKS
(DEFERRED
TO 06/21/04)

30. CASE NO. U.V. 04-02 CC
APPLICANT: Bruce Wring
- LOCATION: East side of Riverdale Road; +34 feet south of Fernbank Lane
- REQUEST: Office
- Memphis and Shelby County Office of Planning and Development recommendation:
REJECTION
- Memphis and Shelby County Land Use Control Board recommendation:
REJECTION
- (Notice of public hearing published in the Daily News on Friday, May 7, 2004.)

HOOKS
ADOPTED

31. CASE NO. Z 04-116 CC
APPLICANT: Trimark, LLC
- LOCATION: North side of Holmes Road; beginning +515 feet west of Autumn Forrest Drive; extending north to the southern termini of Autumn Evening Lane and Autumn Morning Lane.
- REQUEST: Taking the property out of Single Family Agricultural (AG) Use District and including it in the Single Family Residential (R-S10) Use District
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL
- (Notice of public hearing published in the Daily News on Friday, May 7, 2004.)

Reports and/or Resolutions for Standing Committees

KIRK
ADOPTED

32. An Initial Resolution authorizing the execution and delivery of a supplement to the amended and restated Interlocal Agreement dated May 15, 2002, to effect the refinancing of the Memphis Arena Project to be refinanced by the Memphis and Shelby County Sports Authority, Inc., relating to the issuance of not exceeding an aggregate principal amount of \$230,000,000.00 (Two Hundred Thirty Million) of Revenue Refunding Bonds of the authority in two or more series pursuant to the provisions of Chapter 67, Title 7 and Parts 3 and 10 of Chapter 21 of Title 9 of the Tennessee Code Annotated to finance and refinance a portion of the cost of the acquisition, construction and equipping of the Memphis Arena Project; and providing an effective date.

AVERY
ADOPTED

33. Resolution approving the sale of the assets of Oakville Health Care Center ("Oakville") to Americare Corporation, effective July 1, 2004.

HOOKS
ADOPTED

34. Joint Resolution of the City Council of the City of Memphis and the Board of County Commissioners of Shelby County, Tennessee establishing the 2003-2004 budget for the Commercial Demolition Program and designating projects under that budget.

HOOKS
ADOPTED

35. Resolution implementing the provisions of the Joint Resolution of the City Council of the City of Memphis and the Board of County Commissioners of Shelby County, Tennessee, establishing the 2003-2004 budget for the Commercial Demolition Program and designating projects under that budget and to amend the Codes Enforcement fund FY 2004 Budget for demolition projects, authorize and appropriate one demolition project and authorize contracts from the FY 2005 Budget for four demolition projects.

HOOKS
ADOPTED

36. Resolution amending the Permanent Rules of Order of the Shelby County Board of Commissioners by adding a new clause to Rule 32(b) in order to provide for notice by noon Thursday prior to the scheduled Monday meeting for any request for a continuance of a Land Use case.

BOLTON
ADOPTED

37. Resolution ratifying Chapter No. 118 of the Tennessee Private Acts of 2004, House Bill Number 3599, Senate Bill Number 3506, entitled "An Act to amend Chapter 131 of the Private Acts of 1969, as amended by Chapter 173 of the Private Acts of 1971, Chapter 85 of the Private Acts of 1987; Chapter 74 of the Private Acts of 1995; Chapter 57 of the Private Acts of 2001; and any other acts amendatory thereto, relative to the Privilege Tax upon hotel occupancy in Shelby County."

Announcements/Statements

Adjournment

LILLARD
ADOPTED

38. Resolution of Adjournment to June 21, 2004, at 1:30 p.m.

AGENDA # 4
JUNE 7, 2004

4A

SUBDIVISION: FOREST CREEK P.D., PHASE 5, SECOND AMENDMENT
(BARKLEY SQUARE, FIRST ADDITION) (P.D. 02-365 CC)

DEVELOPER: ROBERT DENLEY

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE
IMPROVEMENTS TO FOREST CREEK P.D., PHASE 5, SECOND
AMENDMENT (BARKLEY SQUARE, FIRST ADDITION) (P.D. 02-365
CC)

LOCATION: NORTHEAST AND SOUTHEAST CORNERS OF FOREST HILL-
IRENE ROAD AND NONCONNAH BOULEVARD

4B

SUBDIVISION: GOODLETT FARMS EAST P.D., PHASE 12 (P.D. 90-317 CC)

DEVELOPER: CONCORD EFS, INC.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE
IMPROVEMENTS TO GOODLETT FARMS EAST P.D., PHASE
12 (P.D. 90-317 CC)

LOCATION: EAST SIDE OF GOODLETT FARMS PARKWAY, 460 FEET
SOUTH OF HILLRISE ROAD

4C

SUBDIVISION: RIVER GROVE ESTATES P.D., PHASE II, PART OF AREA A
AND B (P.D. 00-342 CC)

DEVELOPER: RUSCO COMPANY

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE
IMPROVEMENTS TO RIVER GROVE ESTATES P.D., PHASE II,
PART OF AREA A AND B (P.D. 00-342 CC)

LOCATION: SOUTH SIDE OF HOLMES ROAD; +/-1,933.95 FEET EAST OF
RIVERDALE ROAD